

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

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Tamara K. Alsaada,	:	
et al.,	:	
	:	
Plaintiffs,	:	Case No. 2:20-cv-3431
	:	Judge Marbley
vs.	:	Magistrate Judge Jolson
	:	
City of Columbus,	:	
Ohio, et al.,	:	
	:	
Defendants.	:	

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DEPOSITION OF ANTHONY JOHNSON
VIA VIDEOCONFERENCE

- - - - -

Taken at The Residence of Anthony Johnson
Columbus, Ohio 43215
February 16, 2021, 12:59 p.m.

- - - - -

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A P P E A R A N C E S

ON BEHALF OF PLAINTIFFS:

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 By John S. Marshall, Esq.
 Samuel Schlein, Esq.
 (Via videoconference)

ON BEHALF OF DEFENDANTS:

Columbus City Attorney's Office
 77 North Front Street, 4th Floor
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 By Alana Valle Tanoury, Esq.
 Stephen J. Steinberg, Esq.
 (Via videoconference)

I N D E X

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Mr. Marshall - Cross	5

(No exhibits were marked.)

Tuesday Afternoon Session

February 16, 2021, 12:59 p.m.

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S T I P U L A T I O N S

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It is stipulated by counsel in attendance that the deposition of Anthony Johnson, a witness herein, called by the Plaintiffs for cross-examination, may be taken at this time by the notary pursuant to notice and subsequent agreement of counsel that said deposition may be reduced to writing in stenotypy by the notary, whose notes may thereafter be transcribed out of the presence of the witness; that proof of the official character and qualification of the notary is waived.

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THE REPORTER: Would counsel please identify themselves for the record, state who they represent, identify who else is in the room with them, and express their stipulation that this deposition may take place with a remote administration of the oath and remote reporting of the deposition.

MR. MARSHALL: John Marshall and Sam Schlein representing the 26 plaintiffs in this case. There's nobody in the rooms with us. We're in our offices. And we consent to the remote deposition procedure.

MS. TANOURY: Alana Tanoury representing defendants, alone in my office, and Steve Steinberg is alone in his office, and we stipulate.

ANTHONY JOHNSON

being first duly sworn, testifies and says as follows:

CROSS-EXAMINATION

BY MR. MARSHALL:

Q. All right. Please give your name.

A. Anthony Johnson.

1 Q. And, Officer Johnson, I know you've
2 been through depositions before. In fact, you
3 were deposed by Sam here in the Lieutenant
4 McFadden case. Do you have any trouble hearing me
5 so far?

6 A. I do not.

7 Q. Let me ask you just a few -- let me
8 just go over a few ground rules before I get into
9 the questions I want to ask about the -- about
10 your involvement in the protests that this case
11 concerns.

12 First, I want you to make sure that you
13 understand my questions; that you hear them and
14 understand them so that if you have a concern
15 about a question, please stop me, have me say it
16 again, have me explain it so that you have a
17 complete understanding before you give us an
18 answer. Will you do that today?

19 A. Absolutely.

20 Q. And I ask all witnesses whether they
21 have any health issues or take any medication that
22 affects their memory?

23 A. Nope.

24 Q. Do you have any health condition or

1 Q. Do you have a role in any of the other
2 protests as a police officer?

3 A. I did not.

4 Q. Did you attend or observe any of the
5 other protests, other than the time you were
6 present in your job as a police officer?

7 A. I went down to a -- like a
8 demonstration at the Statehouse on my own time
9 just to go down there. I don't know exactly what
10 date that was, though.

11 Q. Was that after these three days?

12 A. Yes.

13 Q. Was it a Black Lives Matter protest or
14 some other protest?

15 A. I mean, it was -- it had to do with the
16 unrest that happened on the 28th, started on the
17 28th.

18 Q. No, that wasn't my question.

19 What was the -- the protestors at the
20 Statehouse on the day you went down to observe,
21 what were they protesting about?

22 A. It was a demonstration. I wouldn't say
23 that it was exactly a protest, but, I mean, there
24 were Black Lives Matter protestors down there as

1 take any medication that affects your ability to
2 answer questions truthfully?

3 A. I do not.

4 Q. As I understand it, you were deployed
5 as an officer during some of the summer Black
6 Lives Matter protests that this case concerns; is
7 that right?

8 A. Yes. The -- yes.

9 Q. All right. What was your normal zone
10 and shift at the time of the protests? Let me
11 just identify the time of the protests we're
12 talking about. They began in the summer of --
13 well, they began on May 28th of 2020 and went on
14 for some period of days or weeks after that. Do
15 you remember that generally?

16 A. I do.

17 Q. What days -- if you recall, what
18 specific days were you at the protests as a police
19 officer?

20 A. I was there the 28th, which I think is
21 a Thursday, Friday and Saturday.

22 Q. All right. So you were there the 28th,
23 29th and 30th of May; is that right?

24 A. That is correct.

1 well.

2 Q. Were there other kinds of protestors
3 down there?

4 A. That I'm not sure.

5 Q. Okay. So there were protestors holding
6 up the signs similar to the ones you had seen on
7 the 28th, 29th and 30th, is that what you're
8 saying?

9 A. That is correct.

10 Q. All right. There were some counter
11 protests. Were you present for any of those?

12 A. I was not.

13 Q. Okay. At the -- on Thursday the 28th,
14 what was your normal zone and shift on that day?

15 A. So I work zone five, B company, which
16 is 2p to 10p.

17 Q. Okay. What hours were you at the
18 protests on the 28th?

19 A. I'm not sure exactly what time we got
20 out of there. We were down there for a while, but
21 it was well beyond my normal shift.

22 Q. Did you start down there at about 2:00
23 p.m.?

24 A. No. I had my normal shift, then there

1 were two different demonstrations, one started at
2 internal affairs and the other one started down on
3 the south side somewhere. I don't remember that
4 exact location.
5 Q. Does Livingston --
6 A. And then we met up downtown.
7 Q. Livingston and Lockbourne sound right
8 for --
9 A. Yes, that sounds about right.
10 Q. Where was the first protest to which
11 you were physically assigned or physical present?
12 A. IA, internal affairs.
13 Q. When you say it was at internal
14 affairs, what do you mean?
15 A. They met at internal affairs.
16 Q. I'm sorry, you -- the officers met at
17 internal affairs is what you're saying?
18 A. The group met at internal affairs.
19 Q. I'm confused. You're not describing a
20 Black Lives Matter protest that occurred inside of
21 the headquarters of the police division, are you?
22 A. No. Not inside, at the building.
23 Q. At the place --
24 A. At the building of internal affairs.

1 Q. Thank you.
2 A. You're welcome.
3 Q. The internal affairs building is
4 located where?
5 A. I don't know the exact address.
6 Q. Okay. Where is it in relation to the
7 police headquarters, which is on Marconi
8 Boulevard?
9 A. I would say it's east of that location.
10 Q. Okay. And there was a group of
11 protestors that had gathered at that site outside
12 of the building, correct?
13 A. That is correct.
14 Q. How large was the group?
15 A. I would estimate anywhere between 20
16 and 40.
17 Q. Okay. How were you dispersed to come
18 to that location?
19 A. Like the means in which I was told to
20 go there?
21 Q. Yes.
22 A. I don't quite remember. Someone either
23 told me to go there or over the radio or in
24 person.

1 Q. Who did you go there with?
2 A. I think I was working with Officer
3 Colin Jones. I think he was my partner that day.
4 Q. Okay. Had he been your partner on
5 other occasions?
6 A. Yes.
7 Q. Was he a regular partner or just an
8 occasional partner?
9 A. He's my regular partner.
10 Q. Okay. So you and Officer Jones drove
11 your cruiser from zone five down to this location?
12 A. That is correct, but that's also on
13 zone five.
14 Q. Okay. So the internal affairs building
15 is located within zone five, right?
16 A. That is correct.
17 Q. Okay. Where were you at the time you
18 got the call?
19 A. Once again, I don't know if it was a
20 call or someone told me in person, but I don't
21 recall exactly where I was.
22 Q. Did you come with lights and sirens?
23 A. I did not.
24 Q. Okay. Where did -- did you park your

1 cruiser? What did you do?
2 A. We just blocked traffic. They were --
3 the group was in the middle of the road. So in
4 order to keep them safe, we just kind of blocked
5 traffic.
6 Q. Where did you block traffic? On what
7 location?
8 A. By internal affairs.
9 Q. Well, where did you put your cruiser?
10 What street was it on? Where was it facing?
11 A. It was the street that internal affairs
12 is on. And we were -- I would say we were east of
13 the crowd, so blocking eastbound traffic following
14 them as they were marching west towards downtown.
15 Q. Do you know what street that is?
16 A. I can't think of it offhand right now.
17 Q. Okay. So you blocked that street at a
18 location east of the building, is that what you're
19 saying?
20 A. Correct.
21 Q. How far away from the group of 20 to 40
22 people?
23 A. I would say approximately -- it varied.
24 They were walking and we were kind of following

1 them as they were walking, some would kind of
2 trail back so, you know, they would get a little
3 closer to us. So I would say it varied from maybe
4 10 feet to 30, 40 feet.
5 Q. Okay. What did you do then?
6 A. We continued to follow the crowd.
7 Q. Follow them in what direction?
8 A. West towards downtown.
9 Q. So they were moving from the internal
10 affairs building towards downtown, towards --
11 towards the Statehouse, is that where they were
12 moving?
13 A. Yes.
14 Q. Okay. Moving towards -- let's -- the
15 Statehouse, at least one corner of the Statehouse
16 is Broad and High street, right?
17 A. That is correct.
18 Q. Okay. So they were moving toward that
19 generally?
20 A. That's where they ended up, yes.
21 Q. Okay. And you followed them walking or
22 in your cruiser?
23 A. In my cruiser.
24 Q. Were there other cruisers also

1 you're not allowed to be in a street, so we were
2 just telling them to get out of the street for
3 safety reasons.
4 Q. Okay.
5 A. We didn't want anybody to get hurt.
6 Q. All right. So you were using your
7 discretion as an officer, you knew what they were
8 doing was -- even though it was a minor crime, you
9 knew that what they were doing was a crime, right?
10 A. I knew what they were doing was a
11 crime, yes.
12 Q. So you were using your authority as a
13 police officer to order them out of the street
14 further on safety, but you had the authority to do
15 that because they were committing a crime, right?
16 A. That is correct.
17 Q. Okay. And it was your decision -- was
18 it your decision or Colin Jones' decision to make
19 this order?
20 A. I would say it was mine -- it was mine.
21 Q. Okay. Who has more seniority in the
22 division, you or Jones?
23 A. We're under the same class, but I'm
24 ahead of him in seniority.

1 following this group of protestors?
2 A. There were.
3 Q. How many?
4 A. I would say in between three to six.
5 Q. At the time that you observed the
6 protestors outside the internal affairs building,
7 did you see any acts of violence committed by the
8 protestors?
9 A. When they were outside of internal
10 affairs, no.
11 Q. Yes. Okay.
12 As they were moving towards the Broad
13 and High location, did you see any acts of either
14 property damage or violence?
15 A. No.
16 Q. What were the protestors doing?
17 A. They were just blocking traffic, not
18 listening to our commands to get out of the
19 street, you know, yelling at us --
20 Q. Who was it --
21 A. -- yelling different things.
22 Q. Who was it that told you to order the
23 protestors out of the street?
24 A. There's a city ordinance and law that

1 Q. Okay. How did you convey this order to
2 this group of protestors?
3 A. Over the P.A. system.
4 Q. The P.A. system on your cruiser?
5 A. That is correct.
6 Q. Did the protestors acknowledge that
7 they heard it, you know?
8 A. Yeah, every now and then some of them
9 would turn around and, you know, say, we don't
10 care or flip me off or yell eff you and continue
11 to walk away.
12 Q. Okay. All right. So then you
13 continued to follow them as they went toward Broad
14 and High Street. What happened from there?
15 A. They got to Broad and High, they
16 surrounded one of our cruisers and started banging
17 on the cruiser. That specific cruiser had a
18 bicycle attached to the back of it and they
19 started pulling on the bicycle as well.
20 Q. All right. So the -- whose cruiser did
21 they surround?
22 A. I don't recall exactly whose cruiser it
23 was.
24 Q. All right. Was this the same group of

1 20 to 40 people that were at internal affairs?
2 A. It was.
3 Q. All right. Where were you positioned
4 exactly when you observed them surround this other
5 cruiser?
6 A. At Broad and High.
7 Q. Were you right at Broad and High right
8 in the middle of the intersection?
9 A. Right in the middle of the
10 intersection.
11 Q. All right. Where was the other
12 cruiser, the cruiser that was surrounded?
13 A. Right in the middle of the intersection
14 as well.
15 Q. Did the group surround your cruiser as
16 well?
17 A. They were towards the rear end of my
18 cruiser, but they had the other cruiser completely
19 surrounded.
20 Q. And how many individuals were around
21 this other cruiser?
22 A. The entire group.
23 Q. Okay. Do you know where that cruiser
24 sustained any damage?

1 A. I do not.
2 Q. Do you know whether they got -- did you
3 observe them get the bicycle off the back of the
4 cruiser?
5 A. I do not know if they successfully did
6 that or not.
7 Q. Did your cruiser have a bicycle on it?
8 A. It did not.
9 Q. Did anyone bang on your cruiser?
10 A. Yes.
11 Q. How many times did that happen?
12 A. No idea. I would say between five and
13 ten.
14 Q. All right. Were you frightened?
15 A. Absolutely.
16 Q. So what did you do about it?
17 A. About them banging on the cruiser?
18 Q. Yes. What did you do about the fact
19 that your -- they were banging on the cruiser?
20 You saw the other cruiser surrounded and it was a
21 frightening situation, what did you do about it?
22 A. So when they started banging on our
23 cruiser, no one was directly in front of the
24 cruiser, so I just hit the gas and pulled away

1 from the crowd. We all exited our cruisers at
2 that point to get the other cruiser safely out of
3 the middle of the crowd that were banging and
4 rocking on the cruiser.
5 Q. Okay.
6 A. Gave multiple orders to disperse, to
7 get out of the intersection, to stop banging on
8 the cruiser. They refused. Chemical agents were
9 deployed, they dispersed, we got the car out of
10 there and --
11 Q. All right. How many officers
12 approached the group that was surrounding the
13 cruiser at the middle of Broad and High?
14 A. I would say roughly five -- five or
15 six.
16 Q. Okay. What chemical agent did you use?
17 A. Our pepper spray or OC spray.
18 Q. All right. Is that also called belt
19 mace?
20 A. Sure, you could call it that.
21 Q. Okay. It's -- is it a Mark 9 canister
22 or just belt mace?
23 A. No, it was just the smaller can that we
24 carry on our duty belt.

1 Q. Okay. How many seconds of -- how many
2 seconds can you deploy a full canister of OC
3 spray?
4 A. I have no idea how long it would take
5 to empty a full canister of OC spray.
6 Q. How many seconds did you use it at
7 these individuals who are surrounding the cruiser?
8 A. I would say I had an opportunity to use
9 it for maybe half a second, a second tops by the
10 time that they were dispersing.
11 Q. Had other officers deployed their OC
12 spray before you?
13 A. Yes.
14 Q. Okay. And tell me again how many
15 people were surrounding the cruiser? How many --
16 A. And actually, I take that back, there
17 were Mark 9s deployed. I think I did have a
18 Mark 9 that -- when that happened.
19 Q. So you deployed the Mark 9?
20 A. Yes. Yes. There were two Mark 9s
21 deployed down there, yeah.
22 Q. Okay. And you had one of them?
23 A. Yes.
24 Q. Okay. And now Mark 9's a larger

1 canister. Is it the same substance inside or is
2 it different?
3 A. It's like a more aerosol. So it stays
4 in the air, but it's -- it's pepper spray or mace,
5 whatever you want to call it.
6 Q. It's for use to disperse a group of
7 people as opposed to just firing at one individual
8 usually, right?
9 A. Yes.
10 Q. All right. So you were able to deploy
11 some of the Mark 9 canister at this group
12 surrounding the cruiser?
13 A. Correct.
14 Q. And did -- somebody else also had a
15 Mark 9?
16 A. Yes.
17 Q. Do you know who that was?
18 A. I do not.
19 Q. And then others were using their belt
20 mace, right?
21 A. I'm not sure if anybody else used any
22 type of mace --
23 Q. All right.
24 A. -- at that point.

1 Q. How many seconds did you deploy the
2 Mark 9 canister?
3 A. A half a second, second tops.
4 Q. Okay. Did it create a pretty good fog
5 of the -- the pepper spray?
6 A. You know, I couldn't tell. Some got in
7 my eyes, so I kind of closed my eyes, opened them
8 enough to see the cruiser was able to get out of
9 there. I got back towards my cruiser --
10 Q. All right.
11 A. -- and kind of gained my composure.
12 Q. So it sounds like there were just a
13 second or two of the deploying of the Mark 9 and
14 that finally got the protestors to comply with
15 your orders to, you know, stop surrounding the
16 cruiser; is that fair?
17 A. That is correct.
18 Q. Okay. Did any of those protestors
19 commit any other illegal acts, other than
20 surrounding the cruiser, banging on it and of
21 course not getting out of the street? Did any of
22 them commit any other acts, like damage to the
23 cruiser or assaulting an officer or anything like
24 that?

1 A. Once again, I'm not sure if they
2 damaged the cruiser or not. I didn't see any
3 damage on the cruiser, but I had pepper spray in
4 my eye, so I had to kind of go and compose myself.
5 Q. Sure. Understand.
6 Did you see any other acts of violence
7 or property damage by the group of protestors that
8 were surrounding the cruiser?
9 A. I did not.
10 Q. All right. So once -- now, at this
11 point, your cruiser -- you pulled away because
12 there was nobody in front of you, you pulled away
13 to a location a little bit away from this group,
14 right?
15 A. Yes.
16 Q. How far away?
17 A. Maybe 20, 30 feet.
18 Q. All right. Did you -- did you then go
19 back to your cruiser? What did you do?
20 A. Yes, I went back to my cruiser. That
21 way I just kind of knew where I was at, had one
22 hand on the cruiser, other hand on my eyes wiping
23 them so I could compose myself.
24 Q. Where was Colin Jones?

1 A. No idea.
2 Q. Okay. What happened from there?
3 A. I composed myself. We formed a line at
4 the intersection of Broad and High on the north
5 side of the intersection. At this point, all of
6 our cruisers were north of that intersection. The
7 crowd was south directly in the middle of that
8 intersection. So we formed a line there and
9 started to get hit with rocks and water bottles
10 and spit on and have water thrown on us for an
11 unknown amount of time.
12 Q. Okay. When you say, "unknown amount of
13 time," are you talking about 10 seconds --
14 A. No. Hours.
15 Q. -- an hour or two hours --
16 A. Hours.
17 Q. -- or what are you talking about?
18 A. Probably two to three hours.
19 Q. Two to three hours the line stood there
20 without riot gear on and were pelted with rocks
21 and water bottles; is that what you're saying?
22 A. I didn't say we stood there for an hour
23 without riot gear. We stood there for a short
24 amount of time and then we got the order to start

1 putting riot gear on, so we did that in like
 2 different orders, like half the officers went and
 3 did it and then the rest of us did it.
 4 Q. Yeah, we've seen video of this, and of
 5 course there's a line of officers that are on High
 6 Street just north of the intersection of Broad and
 7 High facing south; is that right?
 8 A. That is correct.
 9 Q. How many officers in the line, based on
 10 your memory?
 11 A. I mean, officers started showing up.
 12 You know, at some point someone asked for back up,
 13 because, you know, they were throwing stuff at us,
 14 they were assaulting police officers, turning
 15 violent, so I would say shortly after that, maybe
 16 20 to 25 officers.
 17 Q. Okay. When you first formed the line,
 18 how many were there?
 19 A. It was the initial group of us, so five
 20 to six.
 21 Q. And how long before you -- back up
 22 started arriving?
 23 A. I'm not sure. I mean, it was
 24 relatively quick. I mean, we're in the heart of

1 downtown.
 2 Q. Was it within seconds or did it take
 3 minutes?
 4 A. Oh, there were -- maybe 10 minutes.
 5 Q. During those 10 minutes, were you
 6 struck with any objects?
 7 A. Absolutely.
 8 Q. How many times?
 9 A. Probably three to five times.
 10 Q. Okay.
 11 A. I had water thrown on me, I was hit
 12 with a rock, hit with a water bottle.
 13 Q. Okay. Was the water bottle frozen
 14 water or liquid water?
 15 A. Liquid water.
 16 Q. What size rock hit you and where did it
 17 hit you?
 18 A. I was hit with a -- maybe a golf ball
 19 sized rock, but it might have been -- where they
 20 have like the granite curbs down there, I mean, it
 21 was a heavy piece on the right arm.
 22 Q. Okay. I notice your arm is -- I think
 23 it's your left arm --
 24 A. Left arm.

1 Q. -- is in a sling, right?
 2 A. That is correct.
 3 Q. Was that an injury you received during
 4 the protests?
 5 A. It is.
 6 Q. Okay. We'll talk about that in a
 7 minute, but just when did that injury occurred?
 8 A. The 28th.
 9 Q. Approximately when?
 10 A. It was later in the night. I would say
 11 anywhere between maybe 9:00 p.m. to midnight.
 12 Q. Describe what happened for us.
 13 A. Someone from the crowd picked up a Lime
 14 scooter, the scooters that you rent downtown and
 15 drive around on, and threw it, striking me in the
 16 shoulder and the left arm.
 17 Q. Okay. What injury did you receive?
 18 A. Torn rotator cuff, a back sprain, a
 19 shoulder sprain and a neck sprain.
 20 Q. Where did you receive treatment for
 21 these injuries?
 22 A. I received treatment at a chiropractor,
 23 Ability Chiropractor in Worthington for my back
 24 injury, and then I had to have rotator cuff

1 surgery at Grant Hospital.
 2 Q. When did you have the surgery, Officer?
 3 A. On December 9th.
 4 Q. So what -- did you work between -- you
 5 received this injury on the 28th and yet you
 6 worked on the 29th and 30th; is that right?
 7 A. That is correct.
 8 Q. Okay. How did you manage to do that?
 9 A. Well, there's a lot going on, a lot of
 10 adrenaline dumping, I didn't want to leave my guys
 11 out there with all the chaos going on and how
 12 violent the crowds were. So by the time that
 13 Saturday night came around, I couldn't take it
 14 anymore, so went and got an MRI and found out I
 15 had a torn rotator cuff.
 16 Q. Okay. So you worked through the 28th
 17 after this scooter injury occurred, you worked a
 18 full shift or longer than a full shift on the
 19 29th?
 20 A. I would say it was probably longer, it
 21 was a longer shift. Actually it was a longer
 22 shift, yeah.
 23 Q. Okay. From when to when did you work
 24 on the 29th?

1 A. I don't remember the exact hours. I
 2 think we kind of came in early and stayed late,
 3 but I don't remember the exact hours.
 4 Q. Well, early for you would be sometime
 5 before 2:00 p.m., right?
 6 A. Correct.
 7 Q. All right. So you think it was
 8 somewhat earlier than that?
 9 A. Yeah. Yeah. I mean, once again, I
 10 don't know, there was a lot going on. I was
 11 tired. We might have came in earlier or -- I know
 12 my hours were varied, I'll say that -- are varied.
 13 Q. You worked more than a full shift on
 14 the 29th. How about the 30th, did you work more
 15 than a full shift on the 30th?
 16 A. That I'm not sure. It might have been
 17 an eight-hour, but I would assume it was longer.
 18 Q. All right. So the back sprain and
 19 rotator cuff injury that you received on the 28th
 20 at about 9:00 p.m., what symptoms did you have on
 21 the 29th?
 22 A. Back pain, shoulder pain, neck pain.
 23 Q. Okay. Did you have any treatment to
 24 your neck, other than chiropractic treatment?

1 A. I have not.
 2 Q. Did you have any treatment of your back
 3 other than chiropractic treatment?
 4 A. I have not.
 5 Q. Was the surgery successful in repairing
 6 the torn rotator cuff?
 7 A. It was.
 8 Q. Were you -- when did you stop working
 9 and go on injury leave related to these injuries
 10 that occurred during the protests?
 11 A. It was after my shift Saturday night.
 12 Q. So on the 30th of May you stopped
 13 working, right?
 14 A. Correct.
 15 Q. And you have not worked since that
 16 time?
 17 A. That is correct.
 18 Q. All right. And you finally, it sounds
 19 like -- I'm going to take a guess, tell me if I've
 20 got this right, you tried rehabilitation, physical
 21 therapy for the rotator cuff and then finally had
 22 to have surgery; is that what happened?
 23 A. That is correct.
 24 Q. All right. So you tried to do it

1 without surgery and then finally you had to have
 2 the surgery, right?
 3 A. Well, I think -- I think Workers' Comp.
 4 wanted me to try to have physical therapy, the
 5 surgeon wanted to have surgery immediately because
 6 he knew how bad of a tear it was. So per Workers'
 7 Comp. we did physical therapy for a while.
 8 Q. All right.
 9 A. Which didn't work, and then we had the
 10 surgery.
 11 Q. All right. A common story, I'm afraid,
 12 with Workers' Comp. That didn't work, you've had
 13 the surgery and hopefully that will repair the
 14 rotator cuff, right?
 15 A. Correct.
 16 Q. Did you play sports in high school,
 17 basketball, football?
 18 A. I did not.
 19 Q. I'm just asking because I had a rotator
 20 cuff tear playing basketball and I kind of know
 21 what it feels like.
 22 A. They're not fun.
 23 Q. No, they are not.
 24 The -- when do you anticipate returning

1 to work?
 2 A. I have no idea. I meet with my
 3 surgeon, I think in two weeks, and, you know,
 4 hopefully he'll give me a time frame. But ended
 5 up being a pretty bad tear. So not only did he
 6 have to suture it back together, he had to staple
 7 it and put an artificial layer on top to help heal
 8 it.
 9 Q. Describe how that tear occurred based
 10 on what happened. If you know.
 11 A. So I didn't see who threw the scooter.
 12 I was looking right to my right at some of the
 13 crowd that was yelling and throwing things. At
 14 this point, objects were coming out of the crowd
 15 left and right, so, you know, it was my goal to
 16 see an object and either call it out for other
 17 officers to be aware of or to swat it down, that
 18 way it wouldn't hit me or other officers.
 19 So I'm looking to the right, because
 20 this is where a lot of the objects were coming
 21 from. The officer to the left of me says, heads
 22 up. I look to the left, I see the scooter come
 23 from the crowd or coming from the crowd, I put my
 24 left arm up in like a defensive motion, the

1 scooters weigh roughly 50 pounds. The handlebars
2 caught like my inner elbow and wrenched my arm
3 back. And the part like where you put your feet,
4 like where you rest your feet like where the
5 battery is actually hit my shoulder and twisted my
6 body and took me off the line.
7 Q. Okay. Did it knock you down?
8 A. It did not.
9 Q. Okay. Immediately thereafter -- did
10 you immediately realize you were hurt?
11 A. I knew something wasn't right, but once
12 again, I mean, my adrenaline was pumping so much,
13 there was so much going on there. I don't think I
14 felt like the full amount of pain that I would
15 have if it would have happened during a normal
16 circumstance.
17 Q. And you estimate this was about 9:00
18 p.m.?
19 A. I think I said between 9:00 and 12:00.
20 Q. All right. Could have been anywhere in
21 those three hours, 9:00 to midnight?
22 A. Correct.
23 Q. Were you in riot gear or protective
24 gear at that point in time?

1 A. Yes.
2 Q. So you had broken -- taken a break from
3 the line that you all formed north on High Street
4 and had gone to get on protective gear, right?
5 A. Correct.
6 Q. And then come back to the line.
7 When did you leave and when did you
8 come back, what times?
9 A. When did I leave the line and come
10 back? So our cruisers were directly behind the
11 line, so it was literally us just stepping off the
12 line to our cruisers, grabbing the gear, putting
13 it on. I'm not sure exactly what time that that
14 happened.
15 Q. Okay. The gear was all -- was in your
16 cruiser, so you did that in a manner of minutes at
17 some point in time, right?
18 A. Correct.
19 Q. All right. I'm guessing that the small
20 group waited for back-up officers before they left
21 to their cruisers to put on protective gear,
22 right?
23 A. Can you repeat that?
24 Q. Yeah. Bad question.

1 You were there for at least some
2 minutes without protective gear, right?
3 A. Correct.
4 Q. About how long do you think you were
5 exposed to these things without protective gear?
6 A. I would say we were there, you know,
7 I'm not sure the exact time without gear. Like I
8 said, half of the group geared up and we had to
9 wait on them and then come back. You know, I'm
10 not exactly sure how much time I was there without
11 gear on. But, I mean, it was enough to get hit
12 with multiple items.
13 Q. All right. Did you receive any other
14 injuries that day?
15 A. Just bumps and bruises.
16 Q. Okay. Did you fill out an injury
17 report on the rotator cuff injury?
18 A. I did.
19 Q. Did you fill out an injury report that
20 mentioned the back or the neck?
21 A. I think it was all in the same one.
22 Q. All right. Did you fill out any injury
23 reports on the bumps and bruises that you had from
24 water bottles or whatever it might be?

1 A. Nope.
2 Q. Okay. Were you supposed to? If you
3 received a bruise from a rock thrown at you that
4 hit you, weren't you supposed to fill out an
5 injury report?
6 A. I'm not sure there's a directive that
7 tells me I have to or not, but I did not.
8 Q. Okay. Other than the one rock you
9 described that was -- you gave us the size, about
10 the size of a golf ball, but you thought maybe it
11 was granite, because it was heavy, right?
12 A. Correct.
13 Q. Did you get hit with any other rocks
14 that day, the 28th?
15 A. Absolutely.
16 Q. All right. How many times did you get
17 hit with rocks?
18 A. With just a rock?
19 Q. With just a rock.
20 A. I have no idea. I would estimate that
21 whole night just -- are you asking just Thursday
22 or the entire time that I was down there Thursday,
23 Friday and Saturday?
24 Q. Let's just talk about Thursday, how

1 many times?

2 A. Thursday? I mean, that's hard to
3 quantify. I mean, they were throwing stuff left
4 and right, so I would say specifically a rock that
5 I actually seen was a rock? Maybe five to ten.

6 Q. Okay. And then how many other objects,
7 like water bottles or other things?

8 A. Countless. I mean, they were walking
9 up to us, opening water bottles, throwing it on
10 us, hit with frozen water bottles, they were
11 throwing urine on us. I mean, you name it,
12 scooters. That wasn't the only scooter that was
13 thrown. They threw at least five scooters that
14 night.

15 Q. Have you watched the overhead video of
16 these events?

17 A. I have not.

18 Q. Okay. The -- when you saw countless
19 other objects, including water bottles and so on,
20 you mean a few dozen times you got hit with one of
21 these objects?

22 A. Yes, multiple, multiple times.

23 Q. And the other officers that were there
24 experienced the same kind of thing, right? You

1 Q. Okay. You observed other officers
2 being struck with water bottles and rocks, though,
3 right?

4 A. That is correct. And also throwing
5 stuff at the cruisers and the horses as well.

6 Q. Okay. Would you say you saw dozens of
7 such items thrown at other officers or more like
8 hundreds?

9 A. Yeah, I mean, I definitely say there
10 were probably over -- around a hundred items
11 thrown. I mean, Thursday night as the night went
12 on, I mean, the crowd got bigger and more items
13 began to get thrown.

14 Q. But there were items being thrown from
15 the moment that you all formed that line just
16 north of the intersection facing Broad and High,
17 right?

18 A. Correct.

19 Q. Items began to be thrown right then and
20 sort of happened continuously throughout the time?

21 A. Yes.

22 Q. And then you were there until about
23 when?

24 A. Once again, I have no idea. It was

1 weren't unique -- they weren't just -- they
2 weren't just targeting you, right, Officer?

3 A. No, I wouldn't say they were just
4 targeting me. I mean, there were officers down
5 there who definitely had the crowds' attention.
6 You know, taller officers who stood out. So I
7 would say that I was on the side of the line of
8 like the bigger officers where, you know, we were
9 taking a big brunt of it. But I wasn't on any
10 other part of the line, so I'm not sure what they
11 were going through.

12 Q. Okay. Have you received grenadier
13 training?

14 A. I have not.

15 Q. Okay. Have you received any training
16 in the deployment of the wooden batons?

17 A. No.

18 Q. Let's finish up what happened on the
19 28th. You talked about being hit many times with
20 objects, including rocks, water bottles and so on,
21 being -- having stuff thrown at you, the scooter.
22 Were there any other acts of violence perpetrated
23 against you?

24 A. No.

1 well past 10:00 p.m. when I'm supposed to get off
2 work.

3 Q. You think it was past midnight, right?
4 I think you said the scooter happened between 9:00
5 and midnight?

6 A. That is correct.

7 Q. At some point, did a squad or other --
8 grenadiers or someone intervene with this crowd?

9 A. So we had a cruiser pull directly
10 behind the line and we gave countless orders to
11 disperse, you know, that it was a violent crowd,
12 they needed to leave the area. They brought the
13 horses in to put in between officers and the
14 rioters. And at that point, they started throwing
15 stuff at the horses and then, yeah, I mean, that
16 was pretty much it.

17 Then they started breaking the windows
18 at the bus stop, then they broke into the
19 Statehouse, and then they started catching stuff
20 on fire and breaking into the nearby CVS or
21 Walgreens, and they -- at that point, they were
22 just --

23 Q. Did you see them break into the
24 Statehouse?

1 A. I did not. I heard them on the radio.
 2 Q. You heard that?
 3 A. I heard windows breaking. But I
 4 physically seen them break into Walgreens or CVS
 5 there and they started busting windows out with
 6 those same large rocks and items they were
 7 throwing at us at the bus stop right there on the
 8 south end of that intersection, catching trash
 9 cans on fire. They caught like the grass on fire
 10 by the Statehouse at one point.
 11 Q. At some point, did either grenadiers or
 12 SWAT or both deploy wooden batons that you
 13 observed?
 14 A. I haven't -- I'm not sure. I'm not
 15 sure if the grenadiers came Thursday. I know they
 16 were there Friday and Saturday. I'm not sure if
 17 they were there Thursday.
 18 Q. Well, how long was this crowd that had
 19 grown in size in the -- occupying the intersection
 20 of Broad and High on the 28th?
 21 A. You said how long or how large?
 22 Q. Well, how large was it by 9:00 p.m.?
 23 Give me an estimate.
 24 A. So they multiplied relatively fast.

1 A. No. No. I mean, there were always
 2 people in the intersection. I would say at that
 3 specific intersection at some point, it probably
 4 got down to a handful of people just standing
 5 there. But once the chaos started of, you know,
 6 breaking windows and breaking in buildings and at
 7 the Statehouse started, the crowd kind of
 8 dispersed. And they all just started, you know,
 9 catching stuff on fire and vandalizing stuff and
 10 whatnot.
 11 Q. Yeah. Well, was this all of the
 12 protestors who were engaging in activity or just
 13 some of them?
 14 A. I'm -- I wouldn't say every single
 15 person down there was doing that, but, I mean,
 16 there was a very large percentage of that group
 17 that were participating in throwing stuff at
 18 officers, throwing stuff on us, breaking windows,
 19 catching stuff on fire.
 20 Q. Okay. Did the division, to your
 21 knowledge, make any effort to arrest any of these
 22 protestors for the assaults on the officers?
 23 A. That I'm not sure. We have -- in a
 24 situation like that, we have orders to hold the

1 Once they stopped at the intersection and we
 2 formed the line, I would say maybe an hour after
 3 that the group that started on Livingston walked
 4 all the way down there as well and joined them.
 5 And then I think people were Facebook Living and
 6 on Instagram Live and it kind of like brought
 7 attention to it, and so people started driving
 8 and, I mean, just coming out of nowhere. But I
 9 would say by 9:00 p.m., I mean, it's -- it's hard
 10 to say. Once again, I'm not sure of exactly the
 11 times, there was a lot going on for me to stop and
 12 look at my watch, well over a hundred.
 13 Q. Okay. By midnight, how many were
 14 there?
 15 A. At that point, I have no -- there were
 16 multiple crowds. There were crowds near the
 17 Statehouse, there were crowds further south of us.
 18 I mean, if you're talking specifically at that
 19 intersection where we were at maybe, I'm not sure,
 20 more than a hundred. I mean, there was more than
 21 there were at 9:00.
 22 Q. At some point -- at some point, did
 23 your -- was the division able to clear the
 24 intersection at Broad and High? Did that happen?

1 line. That's what we do, we sit there and we hold
 2 that line.
 3 Q. Was that the orders, to hold the line?
 4 A. Is that the order?
 5 Q. The whole time you were in that line,
 6 was that your orders, to just hold the line?
 7 A. Correct.
 8 Q. Do you know what the orders were with
 9 regard to east on Broad or west on Broad?
 10 A. No idea.
 11 Q. Or south on High?
 12 A. Nope.
 13 Q. Did you see SWAT there other than the
 14 LRAD that -- at some point an LRAD pulled up and
 15 there was a loud announcement using the LRAD,
 16 right?
 17 A. Yeah. There were several loud
 18 announcements using the P.A. system. And then
 19 there were even more announcements over the LRAD,
 20 so, yes, there was an LRAD there, but I'm pretty
 21 sure that was attached to a cruiser.
 22 Q. Did that -- did anyone -- did that
 23 cause any part of the protestors to get out of the
 24 intersection, or they just ignored it?

1 A. Not that I seen. They definitely
 2 didn't ignore it. I mean, they were standing
 3 directly in front of it screaming, I don't care.
 4 They were putting their hands up, what are you
 5 going to do about it? We heard you already. You
 6 said it ten times.
 7 Q. All right. The cruisers behind you
 8 were blocking traffic coming down High Street,
 9 right?
 10 A. Correct.
 11 Q. Were there cruisers that you could
 12 observe east and west on Broad blocking traffic
 13 coming from those directions?
 14 A. Where I was at, I couldn't see east or
 15 west on Broad, I could only see north and south.
 16 Q. All right. South of Broad, could you
 17 see cruisers blocking the intersections?
 18 A. I could see red and blue lights, which
 19 would tell me that there was a cruiser or a bike
 20 of some sort down there, yes.
 21 Q. Estimate for me how far south from your
 22 position were those cruisers?
 23 A. I would say the next intersection, so a
 24 block away.

1 because we were just north of, so directly
 2 southwest of that corner is nothing but
 3 glass-front businesses and, you know, offices. So
 4 definitely that Walgreens or CVS, I can't remember
 5 exactly which one it was, the Statehouse, bus
 6 stops.
 7 Q. The bus stops are Plexiglass, right?
 8 A. They sounded like glass. They might
 9 have been, but they sounded like glass.
 10 Q. I just -- I was just asking if you
 11 knew.
 12 A. I do not. I do not.
 13 Q. Okay. What order came down that
 14 allowed you to go?
 15 A. I think relief came. I don't remember
 16 exactly, but I know at some point someone came to
 17 the intersection and said, hey, like, you know,
 18 this group can go.
 19 Q. At the time you left, about how many
 20 officers were in the line just north of the
 21 intersection of Broad and High?
 22 A. At that point, I don't think there was
 23 a line there anymore. Like I said, it got down to
 24 only a handful of people at that intersection. So

1 Q. State Street?
 2 A. Sounds about right.
 3 Q. Okay. So you don't know whether the
 4 division had east and west Broad blocked off as
 5 well, you don't know one way or the other, right?
 6 A. I do not know, no.
 7 Q. Why was it that you -- estimate for --
 8 estimate for me when you got to your home that
 9 night, what time?
 10 A. Once again, I'm not 100 percent sure of
 11 the time. It was well after 10:00. I would say
 12 probably 1:00 a.m., 2:00 a.m.
 13 Q. Okay. What was going on in the
 14 protests at that point in time?
 15 A. They were the same. I mean, they were
 16 busting windows, catching stuff on fire and, you
 17 know, at that point, we were still at the
 18 intersection trying to maintain that general area.
 19 And then I think relief came and said, hey, you
 20 guys are good to leave.
 21 Q. Where were the windows being busted at
 22 that point in time?
 23 A. Everywhere at that intersection. I
 24 mean, everywhere south of that intersection,

1 there was just kind of clusters of officers in
 2 that area. But at that point, we were just kind
 3 of north of the intersection. I mean, pretty much
 4 in the intersection, but in the north part of the
 5 intersection really waiting to go home, because we
 6 knew we were there forever, but there were
 7 officers all throughout downtown, you know,
 8 following the dispatches of businesses getting
 9 broken into and whatnot.
 10 Q. Right. There was vandalism going on,
 11 property damages going on at various places
 12 downtown at that point. When was it that the
 13 bigger crowd at Broad and High kind of dispersed
 14 and there was just a handful of people? About
 15 what time did that occur?
 16 A. No idea.
 17 Q. Okay. Did you go straight home?
 18 A. Like once I left work?
 19 Q. Yes.
 20 A. Yes.
 21 Q. Okay. I know, there's not very many
 22 places to go at 1:00 in the morning.
 23 A. Not when you're tired and you want your
 24 bed.

1 Q. Right. So you went home and went to
 2 sleep. And then you went to report for duty the
 3 next day. Where did you report?
 4 A. I think -- I think they had us report
 5 at the academy starting Friday. So I think we
 6 went to the academy.
 7 Q. Okay. On the 28th -- had you received
 8 any specific instruction on the 28th before you
 9 were dispatched to deal with this group of
 10 protestors at the internal affairs, had you
 11 received any specific instruction about what to
 12 do, where to go, other than, you know, go down and
 13 there's a group of people in internal affairs,
 14 other than that?
 15 A. Well, once again, like I don't know if
 16 I was dispatched or somebody told me to go down
 17 there, but I think my orders were just go down
 18 there and follow the crowd and give updates. Once
 19 we realized that they were in the streets and they
 20 weren't listening to us, our multiple orders to
 21 get out of the streets, we just figured it would
 22 be safe to block traffic to keep them safe.
 23 Q. Okay. On the 29th you think you
 24 gathered at the academy. About how many officers

1 supervisors, like a sergeant and lieutenant,
 2 basically they're in charge. We'll go to an
 3 intersection and hold it or go to a crowd that's
 4 doing whatever and, you know, see if we could get
 5 them to stop.
 6 Q. Okay.
 7 A. We're not sure like -- like specific as
 8 in?
 9 Q. Well, I don't know. Did they -- did
 10 they say what tactics you were going to use? Did
 11 you get any -- you know, were you told to wear
 12 protective gear going in?
 13 A. I think we put riot gear on before
 14 leaving the academy.
 15 Q. That was Saturday, though, right?
 16 A. Definitely Saturday. But Friday, I
 17 mean, yeah, I would say before we went down there,
 18 we had -- we had our riot gear on.
 19 Q. All right. And was it -- did you
 20 report -- I think you told me earlier you reported
 21 a little earlier than normal?
 22 A. I just know my hours varied. Once
 23 again, there was a lot going on. I didn't sleep
 24 that night.

1 were there?
 2 A. If -- I know we gathered at the academy
 3 or we met at the academy Sunday for sure. I'm not
 4 sure if it was Saturday, but if it was Saturday, I
 5 mean, there were probably 50 officers in that
 6 single room.
 7 Q. Okay. Maybe I've got the -- I've got
 8 the dates wrong, but I thought the May the 28th
 9 was a Thursday?
 10 A. No, the 28th is Thursday. So I'm
 11 sorry, I didn't mean to say Sunday, I meant I know
 12 I went down there Saturday at the academy to start
 13 roll call. I'm not sure if I went there Friday to
 14 start roll call.
 15 Q. Well, where was roll call -- roll call
 16 happened somewhere on Friday, right?
 17 A. Yeah, I mean, it was either the
 18 substation or it was at the academy.
 19 Q. On Friday the 29th, did you receive any
 20 specific instruction at roll call about the
 21 protests?
 22 A. I think that we were just told that,
 23 you know, we're going to follow whoever our
 24 supervisors were, we were like assigned

1 Q. Were you on orders for 12-hour shifts
 2 at that point?
 3 A. That sounds right, but, you know, I'm
 4 not 100 percent sure. I know it was longer than
 5 my eight-hour shift.
 6 Q. Okay. Normally it was 2:00 to 10:00.
 7 This could have been noon to midnight, right? Or
 8 something like that?
 9 A. Something like that, yeah.
 10 Q. Okay. So you remember longer -- a
 11 longer than normal shift on all three of these
 12 protest days, right?
 13 A. Correct.
 14 Q. All right. And you gathered for roll
 15 call either at the sub or at academy on Friday?
 16 A. Correct.
 17 Q. And you were told -- you think you left
 18 the -- with protective gear on, with riot gear,
 19 right?
 20 A. Correct.
 21 Q. And the instruction you remember -- who
 22 normally runs roll call for your group?
 23 A. Well, normally you meet at the precinct
 24 that your sergeant, like your direct supervisor

1 runs the roll call. Every now and then a
 2 lieutenant might step in.
 3 Q. How about this time?
 4 A. I think there may have been a higher
 5 ranking supervisor, whether it was like a
 6 lieutenant or a commander, I don't remember
 7 exactly who was up there saying what. I just
 8 remember we were assigned. I actually was with
 9 Commander Weir.
 10 Q. Yeah, you said hi to him when you saw
 11 him on the earlier deposition. When you were with
 12 him, was he field commander for where you were on
 13 the 29th?
 14 A. I'm not sure. I know like later in the
 15 night that he was -- he was with us. But once
 16 again, that could have been -- I mean, I'm pretty
 17 sure that was Friday night.
 18 Q. All right. What is your best memory of
 19 what instructions you were given at roll call on
 20 Friday the 29th before you went down to the
 21 protests?
 22 A. To put some riot gear on and go down
 23 there and try to restore peace. I mean, I don't
 24 think there were like anything -- anything

1 specifically said different as far as tactics and
 2 whatnot, like we had supervisors we reported to
 3 and that we went out with.
 4 Q. Okay. Did you get any information on
 5 what had been going on in the protests earlier
 6 that day, or had there even been protests earlier
 7 that day?
 8 A. I don't really recall. I mean, I'm
 9 sure they went over some -- some details about the
 10 groups and whatnot, but I don't really recall.
 11 Q. Were you told in that roll call or on
 12 Saturday that the division believed that there
 13 were some outside agitators or outside organizers
 14 that were influencing these protests?
 15 A. I don't think -- like in any official
 16 capacity? I mean, I do remember hearing that at
 17 some point, but, I mean, that could have been like
 18 an officer telling me that or, you know, me
 19 reading it online. I don't think we ever were
 20 told that like in an official capacity, though.
 21 Q. Well, were you ever told that, for
 22 example, Chief Quinlan believed that there were
 23 special tactics being used and there were -- there
 24 were special kind of organizing being done for

1 these protests?
 2 A. For us or for the protestors.
 3 Q. For the protestors?
 4 MS. TANOURY: I'm sorry, objection.
 5 Asked and answered, but he can respond.
 6 A. Yeah. Once again, I don't -- I don't
 7 quite recall. I mean, there were clearly tactics
 8 being used by them. They brought frozen water
 9 bottles downtown, they came downtown with gas
 10 masks on and backpacks full of rocks to throw at
 11 us, so there were clearly some sort of tactics
 12 being used that I see with my own eyes.
 13 Q. So you saw backpacks where people were
 14 grabbing rocks out of backpacks?
 15 A. Correct.
 16 Q. Okay. Did you retrieve any of these
 17 backpacks or did anyone retrieve any of them?
 18 A. I'm not sure if anyone did. I know I
 19 did not.
 20 Q. Okay. So the 29th your roll call,
 21 you're told to go down and restore the peace.
 22 What did you do from there? Where did you go?
 23 A. I think we went to the area of like
 24 maybe like High and Goodale. I don't know if they

1 cross, you know, Short Northish area. There was a
 2 crowd in that area that surrounded a cruiser, so
 3 officers were screaming on the air that they
 4 needed help. So we went down there, dispersed
 5 that crowd.
 6 Q. How did you disperse that crowd?
 7 A. Chemical agents.
 8 Q. Did you -- Mark 9 canisters?
 9 A. I think -- yeah, yeah, I would say I
 10 used a Mark 9 that day, yeah.
 11 Q. Okay. Anyone else? It wasn't just
 12 you, right? There were others using the Mark 9?
 13 A. Other officers had Mark 9s. I'm not
 14 sure what officers used what down there, but I
 15 know I used a Mark 9.
 16 Q. How many people were around this
 17 cruiser?
 18 A. In that specific area? I would say
 19 probably 20.
 20 Q. Okay. And where was the area exactly?
 21 Was that right at Goodale and High or --
 22 A. Yeah, I don't know the exact area. I
 23 mean, we're talking this happened almost a year
 24 ago. Yeah, I know it was like Short North area,

1 like directly off High Street. I don't know if
 2 High and Goodale intersect, but that sounds right
 3 for some reason.
 4 Q. For the Mark 9 discharge on the 28th,
 5 did you fill out a use of force report?
 6 A. I have not filled out any use of force
 7 report because I have not been back to work since
 8 Sunday, that Sunday --
 9 Q. So --
 10 A. -- that Saturday.
 11 Q. Are there any use of force reports for
 12 any of the force that you had to use to restore
 13 the peace at the protests?
 14 A. No.
 15 Q. Are you supposed to do that?
 16 A. Yes, but I was cleared by my
 17 supervisors that seeing as I'm not at work right
 18 now, I clearly cannot do it, so I'll do it when I
 19 get back to work.
 20 Q. Is that because you're physically
 21 unable to do it or it's just division policy, as
 22 you understand it, if you're not working, you're
 23 not supposed to be doing work tasks?
 24 A. I just told my sergeant, my lieutenant,

1 A. Correct.
 2 Q. All right. Let's talk about the 29th
 3 again.
 4 A. So Friday?
 5 Q. So you were able, through the use of
 6 chemical agents, to get this crowd out from around
 7 the cruiser. What happened from there?
 8 A. Once they dispersed, the cruiser was
 9 able to go away. You know, the crowd, they ran in
 10 different directions. We ended up back downtown
 11 at Broad and High, held a line there for a while,
 12 or just kind of playing like a relief position for
 13 officers that needed it, you know, officers that
 14 were on a line for a while.
 15 Q. Give me your best estimate of the time
 16 of day you arrived at Broad and High.
 17 A. Yeah, I mean, I wouldn't even know
 18 where to start. Like I don't even know what time
 19 we came into work that day.
 20 Q. It was still light out, though, right?
 21 A. Yeah. Yeah. I would say it was still
 22 daytime out.
 23 Q. Where were you holding the line when
 24 you first came down to Broad and High?

1 and they said, don't worry about it till you get
 2 back.
 3 Q. Okay. Who's your sergeant and
 4 lieutenant?
 5 A. My sergeant is Sergeant Sykes and my
 6 lieutenant is Lieutenant Hargus and Lieutenant
 7 Scott.
 8 Q. All right.
 9 A. I had two at that point.
 10 Q. All right. You're right-handed or
 11 left-handed?
 12 A. I'm right-handed.
 13 Q. So it's your left hand that's not
 14 working too well because you're in a sling right
 15 now, right?
 16 A. That is correct.
 17 Q. All right. But you're able to write
 18 with your right hand?
 19 A. I am.
 20 Q. All right. So if the division said to
 21 you, Officer Johnson, I want you to fill out a use
 22 of force report so we can have a record of the use
 23 of force that you used on these protests, you
 24 would physically be able to do that, right?

1 A. So we were on the west part of the
 2 intersection.
 3 Q. West of -- on Broad Street west of
 4 Broad and High?
 5 A. Correct.
 6 Q. Facing Broad and High?
 7 A. Correct.
 8 Q. Behind you or in front of you perhaps
 9 or next to you, were there any SWAT vehicles?
 10 A. Not that I recall.
 11 Q. Okay. Were there grenadiers deployed?
 12 A. I think there were grenadiers that day,
 13 yes.
 14 Q. How do you distinguish them? What --
 15 is there some special way you can tell that
 16 they're grenadiers? And let's -- you can see if
 17 they're carrying the gas guns --
 18 A. That's it.
 19 Q. -- on the top?
 20 A. That's the clue I use.
 21 Q. Okay. So you did see grenadiers
 22 deployed with you at west -- you know, standing on
 23 west Broad?
 24 A. I'm pretty sure they were at the

1 intersection, yeah.
 2 Q. Okay. Facing east, right?
 3 A. Correct. Like when we first got down
 4 there, we started facing east. And then at some
 5 point, we kind of transitioned on the other side
 6 facing west. And like the crowd was at like
 7 the -- in the intersection of course, but like the
 8 southwest part of the intersection, there was like
 9 a big glass like awning in that part of the
 10 intersection.
 11 Q. All right. Describe what was happening
 12 when you first came down to the line on west
 13 Broad.
 14 A. About the same thing that happened
 15 Thursday. They were throwing stuff at us. Like,
 16 as we were walking up to the line, you know, they
 17 were chucking rocks and chucking bricks at us, you
 18 know, frozen water bottles. It seemed like they
 19 were definitely more organized that day just
 20 because, you know, they had a lot more stuff to
 21 throw at us, including frozen water bottles.
 22 Q. Even more objects being thrown than the
 23 day before?
 24 A. Yes.

1 Q. So --
 2 A. In that general area, yes.
 3 Q. So you estimated that you probably
 4 observed a hundred the day before, so you observed
 5 more than that this day?
 6 A. Yes.
 7 Q. How many -- how many hours were you
 8 down there?
 9 A. Once again, I don't know exactly the
 10 time frame that I was there. But I would say we
 11 spent a good amount of our time at that
 12 intersection that day. I would say maybe
 13 80 percent of the time that we were down there or
 14 80 percent of my shift we were down in that
 15 intersection in some sort of capacity and, you
 16 know --
 17 Q. Throughout the entire time you were
 18 being assaulted with rocks, bricks and frozen
 19 water bottles and other objects?
 20 A. Yes.
 21 Q. Were you struck during that time?
 22 A. Yes.
 23 Q. How many times were you struck?
 24 A. No idea.

1 Q. More than once?
 2 A. Yes.
 3 Q. More than five times?
 4 A. Yes.
 5 Q. Did you receive any bruises from those
 6 assaults?
 7 A. I did.
 8 Q. Did you take any photographs of the
 9 bruises that you received during these days you
 10 were managing the protests?
 11 A. I did not.
 12 Q. Did you deploy your chemical -- any
 13 chemical agents at the -- at any protestors or
 14 group of protestors during the time you were down
 15 at Broad and High on Friday the 29th?
 16 A. I did not.
 17 Q. What were you doing?
 18 A. Standing there holding the line. At
 19 that point, I think SWAT was roving around that
 20 day, kind of deploying munitions. We had like
 21 grenadiers deploying stuff.
 22 Q. All right. Give me a second to look at
 23 some notes here.
 24 A. Yep.

1 Q. How late did you work on the 29th?
 2 A. Once again, I have no idea. I know it
 3 was longer than my normal shift.
 4 Q. Now, in a normal shift when you have to
 5 use force, when do you normally fill out your use
 6 of force report?
 7 A. Well, you have to let your supervisor
 8 know by the end of your shift, and then you can
 9 kind of work it out with them when an applicable
 10 time is to fill that out. There was no down time
 11 during three of those days, the three days that I
 12 was down there to fill those slips out.
 13 Q. Sure.
 14 A. You know, we were there for well beyond
 15 our shift. So when you got home, you got in your
 16 car and you went. When you came to work, you
 17 either met at the academy or substation and you
 18 grabbed your gear and went downtown.
 19 Q. Understood. Normally you fill out a
 20 use of force report when your shift is over on the
 21 same day or normally fill it out the next day or
 22 just depends on --
 23 A. Yeah, that night or the next day. As
 24 long as you let your supervisor know, you know,

1 hey, I used force this day -- I used forced today
2 and this is what happened.
3 Q. Who was your supervisor on the 28th?
4 A. I would say it was Sergeant Sykes. I
5 mean, that's my go-to sergeant, so, you know.
6 Q. Was he there?
7 A. That I'm not sure. I'm not sure. I
8 know I talked with Lieutenant Scott, Sergeant
9 Coleman, and -- yeah, I think that those are like
10 the two that like really stand out to me. But I'm
11 not -- I'm not sure what supervisors were there
12 what days and whatnot.
13 Q. All right. Who did you consider your
14 supervisor on Friday the 29th?
15 A. I'm not sure who was there.
16 Q. Okay. Who was giving orders?
17 A. Once again, I'm not sure exactly what
18 supervisor we had in our group that day.
19 Q. Have you watched any of the video that
20 was -- you know there are cameras, traffic?
21 A. Everywhere downtown.
22 Q. Cameras that take overhead video of
23 what was -- what goes on at the area of Broad and
24 High, right? You know that, right?

1 A. Oh, yeah, cameras everywhere.
2 Q. Yeah. And there were also helicopters,
3 you could hear helicopters at various points in
4 time?
5 A. That's very true.
6 Q. Have you seen any of the overhead video
7 of what was going on on the 29th and afternoon and
8 evening?
9 A. Nope. I was down there, I don't need
10 to relive it.
11 Q. Okay. Fair to say, though, that the --
12 well, let's finish up on the 29th. About when did
13 you stop working on the 29th?
14 A. Once again, I have no idea what my
15 shift was that day.
16 Q. What caused you to be able to go home?
17 You were just told it's time to go?
18 A. Yep. Group comes up and says, hey,
19 your relief's here, go ahead and march down to
20 headquarters.
21 Q. Okay. Is that what you did, you walked
22 down to headquarters or --
23 A. Yeah.
24 Q. All right. How big was the crowd --

1 well, where were you exactly when you were told to
2 go home? Where were -- what street were you and
3 where were you facing?
4 A. I think we were a little further east
5 of the intersection of Broad and High, so maybe
6 like two or three blocks east of that
7 intersection. I don't know what that cross street
8 would have been.
9 Q. Okay.
10 MS. TANOURY: Hey, John, I just want to
11 flag, it's 1:58.
12 MR. MARSHALL: Yeah, we better -- I
13 don't have a whole lot more, but if Officer
14 Johnson doesn't mind hanging on. Let's get on
15 that call with the Court.
16 Officer Johnson, we've got a call with
17 the Court, and my guess is it's going to be
18 15 minutes, so if you -- why don't we take -- why
19 don't you go ahead and take a 15-minute break,
20 and, Mary, you can take a 15-minute break. We'll
21 have a little extra break, but if we're not back
22 when you get back on, it shouldn't be too much
23 longer, or one of us will jump in and let you
24 know.

1 THE WITNESS: Okay. Perfect. I have
2 a -- okay, perfect.
3 (A recess is taken.)
4 Q. All right. Thanks for your patience.
5 Officer Johnson, we were finishing up
6 on the -- what happened at the protests on
7 Thursday the 29th.
8 At what point did you move -- you said
9 you went down there and you were a little bit west
10 of the intersection of Broad and High on Broad
11 Street facing east.
12 A. Correct.
13 Q. I think when you first arrived, right?
14 A. Correct.
15 Q. How long after that did you move to a
16 different location?
17 A. We weren't there long. I don't know
18 the exact time frame, but I know we spent a
19 majority of our time at that intersection either
20 on the north side or the east side.
21 Q. Well, you weren't facing east on west
22 Broad very long, but you spent the majority of
23 your entire time down there at -- you know, in and
24 around the intersection of Broad and High, is that

1 what you're saying?
 2 A. Correct.
 3 Q. Sometimes you were north on High facing
 4 south?
 5 A. Correct.
 6 Q. Sometimes you were on east Broad Street
 7 facing west?
 8 A. Correct.
 9 Q. And how were you getting from one
 10 location to the other? Was there some perimeter
 11 established or how --
 12 A. Yeah. I mean, I think the goal was to
 13 continue to push the crowd further and further
 14 out. If we would push them past an intersection,
 15 we would try to hold that intersection. I'm not
 16 sure exactly why we transitioned from the west
 17 side to the east side, but I know that during that
 18 time, a majority of the crowd was at the southwest
 19 corner under that glass awning I was talking about
 20 earlier.
 21 Q. The majority of the crowd was on the
 22 southwest corner of Broad and High; is that what
 23 you're saying? There's a pizza place there,
 24 right?

1 east, then that's what I was going to do. If I
 2 was there standing west, that's what I was going
 3 to do, so that was my job, so...
 4 Q. So the crowd couldn't get through the
 5 line and get elsewhere, is that what you're
 6 saying?
 7 A. Correct.
 8 Q. Okay. Did -- and any of the lines you
 9 were holding, either on west Broad facing east or
 10 on north High facing south or on east Broad facing
 11 west, did the crowd break the line?
 12 A. No. Like they never went directly
 13 through our line, no.
 14 Q. Okay.
 15 A. I mean, there were times where they
 16 would find like an alley or, you know, something
 17 and end up behind us and, you know, we would just
 18 have to change where our line was. If we were on
 19 the east side, we would change to the north side
 20 and, you know, vice versa.
 21 Q. Yeah. The alleys, various alleys, one
 22 runs behind One Columbus, you know that alley?
 23 A. I do not.
 24 Q. Okay. This isn't your usual area where

1 A. Yeah, right by that pizza place, that
 2 glass overhang.
 3 Q. Yeah. And there's kind of a patio
 4 area?
 5 A. Correct.
 6 Q. Okay. Are we able to dislodge the
 7 crowd from that area?
 8 A. I don't think we successfully did that
 9 that night, at least to my recollection. You
 10 know, they were -- I think they were there at
 11 least the majority of the time.
 12 Q. Why did you need to dislodge them from
 13 that area?
 14 A. I mean, they were breaking stuff, they
 15 were throwing stuff at us. I mean, at that point
 16 they were a violent crowd, an unruly crowd, and we
 17 had to disperse them.
 18 Q. Okay. And where were the dispersal
 19 orders coming from, at least from your hearing on
 20 the radio or your observation, where -- who was
 21 giving those dispersal orders?
 22 A. Well, we were standing the line. Like
 23 my job was to sit there and hold the line. If I
 24 was told to stand in the intersection and face

1 you patrol, is it?
 2 A. It is not.
 3 Q. So the majority of your shift on the
 4 29th was at one of the three locations we've just
 5 talked about, west Broad, east Broad or north
 6 High; is that fair?
 7 A. Yes.
 8 Q. Okay. And during all of the times you
 9 were there, the officers were being assaulted by
 10 rocks, frozen water bottles, liquid water bottles
 11 and other objects; is that correct?
 12 A. Correct.
 13 Q. That didn't stop for any appreciable
 14 length of time, that just continued through the
 15 hours that you were there?
 16 A. Correct.
 17 Q. And at some point, did SWAT or
 18 grenadiers clear groups of protestors while you
 19 were there?
 20 A. They attempted to, yes.
 21 Q. How did they do that? What methods did
 22 they use?
 23 A. I'm not sure what they were deploying,
 24 but they were deploying some sort of munitions.

1 But, I mean, if they -- I remember multiple times
2 where someone would throw like a gas grenade or,
3 you know, some sort of canister that released gas
4 or a chemical agent, and the crowd would just grab
5 it and throw it right back at us.
6 Q. Like a tear gas grenade?
7 A. Yeah.
8 Q. Were you wearing gas masks?
9 A. Some of the time, yes, some of the
10 time, no.
11 Q. Did you ever get affected by the tear
12 gas that was used?
13 A. I mean, even with the gas mask, like
14 you'll have residual effect, some might get in
15 your filter or whatnot. But, I mean, I was
16 covered in tear gas and pepper spray, so...
17 Q. And that was what SWAT was deploying,
18 they were deploying tear gas and pepper spray?
19 A. I have no idea what they were
20 deploying. Once again, I'm not a grenadier, I
21 don't know what that stuff is.
22 Q. Okay. You've never fired a 37 or 40
23 millimeter wooden baton? You've never done that?
24 A. Nope.

1 Q. Okay. Did you see them being fired?
2 A. I'm not sure what's what. I heard
3 stuff being deployed. You have to talk to a
4 grenadier about that. I'm not going to try to
5 identify something I'm not sure what it is.
6 Q. All right. Did you have any lingering
7 injuries from what happened on the 29th? I know
8 you had bumps and bruises, anything that lasted --
9 or what you had to have -- well, any injuries from
10 the 29th for which you had to have medical
11 treatment?
12 A. No.
13 Q. Did you receive any injuries on the
14 30th?
15 A. No.
16 Q. So no injuries on the 30th, right?
17 A. No. I mean, just the normal bumps,
18 bruises, scrapes, stuff like that.
19 Q. Did you get bumps, bruises?
20 A. We were getting hit with objects all
21 day long, yeah, scrapes and bruises and bumps and
22 all sorts of stuff.
23 Q. And that's true on the 30th, too,
24 right?

1 A. Right.
2 Q. So Saturday the 30th, you were getting
3 hit with objects all day long?
4 A. Yes.
5 Q. And --
6 A. The crowd was a little further back
7 that Saturday. I don't know why I want to keep
8 saying Sunday.
9 Q. Well, let's walk through that Saturday,
10 which was the last day you worked for some time.
11 A. Yes.
12 Q. Saturday the 30th, was that when you
13 reported to the academy?
14 A. We did report to the academy on the
15 30th, yes.
16 Q. How many officers were there at that
17 roll call?
18 A. I would say it was about the same,
19 maybe 50.
20 Q. In protective gear or were you deployed
21 with the protective gear on?
22 A. Yes.
23 Q. Did you have -- did you have it on for
24 roll call or put it on after roll call?

1 A. Put it on after.
2 Q. All right. So about 50 officers at the
3 academy in a big room, right?
4 A. Yes.
5 Q. Who addressed the group?
6 A. I'm not sure. Some supervisor, whether
7 it was a commander or deputy chief, some higher
8 ranking supervisor.
9 Q. What was the instructions you were
10 given?
11 A. Same thing. You have -- supervisors
12 listen to what they tell you, if they tell you to
13 go stand at the intersection, hold the line, hold
14 the line.
15 Q. And was the instruction basically we
16 need to go down to these protests and restore the
17 peace, that was the instruction, right?
18 A. I mean, our instructions were listen to
19 our supervisor. It's -- it -- I was under the
20 influence, it's not my job to understand the exact
21 plan. If they tell me to go somewhere and do
22 something, it's -- they probably have a plan for
23 it, so that's what I'm going to do.
24 Q. Sure. Yeah, no, I understand you take

1 orders, that's your job. I'm wondering whether
 2 they gave you any instruction overall, like here's
 3 how we're going to handle the situation today?
 4 A. I'm not 100 percent sure.
 5 Q. Okay. When did you know about these
 6 protests, you know, on the 28th or even before the
 7 28th? Let's ask this question: Before the 28th,
 8 were you aware that whether they were called Black
 9 Lives Matter protests were going on in various
 10 cities throughout the country?
 11 A. Yes.
 12 Q. You paid attention to the news on that
 13 or at least saw some of the news?
 14 A. I mean, I knew they were going on. I
 15 don't know if I seen it from the news or online
 16 somewhere.
 17 Q. Okay. On the 28th -- by the 28th, had
 18 you seen the video of George Floyd's -- the
 19 killing of George Floyd? Had you seen that?
 20 A. Yes.
 21 Q. Did you watch the whole thing?
 22 A. I'm not sure. Probably.
 23 Q. What did you think of it?
 24 A. I thought that it was hard to watch.

1 Q. Did you think there was any -- from
 2 what you saw, any justification for the killing of
 3 George Floyd?
 4 A. You know, it's hard to armchair
 5 quarterback these videos without being there and
 6 knowing all of the details. I just know that it
 7 was a hard video to watch.
 8 Q. Okay. All right. So you don't have
 9 any opinion one way or the other about this
 10 situation, meaning -- ultimate -- after everything
 11 you've seen and heard and read and were told, did
 12 you form any opinion about the killing of George
 13 Floyd? Did you believe that it was justified,
 14 unjustified, have you formed any opinion?
 15 A. I believe that there was a process in
 16 place and that that process was going to be
 17 executed. And by the end of that, the
 18 investigation was going to begin and they were
 19 going to find out what happened. And, you know,
 20 if the officers were in the wrong, they would be
 21 held accountable, hopefully, and if not then --
 22 Q. You know the officers involved were
 23 indicted, right?
 24 A. I know that one went to jail at some

1 point.
 2 Q. All right. But by the time of the
 3 28th, you knew there were some protests going on
 4 in some cities that were sort of against the
 5 police, right?
 6 A. I mean, I just knew that there were
 7 protests and demonstrations and riots going on
 8 everywhere.
 9 Q. Well, you knew what they were about,
 10 right? The people were making claims about police
 11 conduct, right?
 12 A. Yes.
 13 Q. You knew that the protests were largely
 14 anti-police, right?
 15 A. I wouldn't assume that. I would
 16 just -- they were just demonstrations going on.
 17 Q. Well, the signs -- you saw lots of
 18 signs at these protests, right?
 19 A. I did.
 20 Q. Did you see signs that were -- were
 21 sort of ugly comments about the police, like fuck
 22 the police, you know --
 23 A. I did.
 24 Q. -- those kinds of things?

1 A. I did.
 2 Q. And you heard chants like that from
 3 some members of the crowd or sometimes the entire
 4 crowd, right?
 5 A. When I was down there, is that what
 6 you're asking about, or just in general?
 7 Q. When you were down there?
 8 A. Correct.
 9 Q. You also knew these protestors were
 10 calling for things like defunding the police,
 11 right?
 12 A. Yes.
 13 Q. And there were signs to that effect
 14 that you saw when you were down there?
 15 A. That is correct.
 16 Q. Okay. Did you believe that going down
 17 there on the 28th for the first time, did you
 18 believe that there was likely to be some violence
 19 against the police?
 20 A. No. I mean, I don't know. I don't
 21 know what I expected going down there. I didn't
 22 expect it to be this.
 23 Q. Well, you did encounter a lot of
 24 violence, right?

1 A. What?

2 Q. You did encounter a great deal of

3 violence against the police and some other

4 behaviors, right?

5 A. That is very correct.

6 Q. So let's do talk about the 30th. You

7 went to the academy, you -- where did you go from

8 there?

9 A. Right back down to the area of Broad

10 and High. We spent some time there, we spent some

11 time at the south -- just south of that

12 intersection. So I think you said it was State,

13 which that sounds about right. So, you know, High

14 and State area. And then we ended up back over a

15 couple blocks east of that Broad and High

16 intersection on Broad Street. I'm not sure what

17 the cross street is, but a couple blocks just east

18 of that.

19 Q. Okay. Where did you spend the most

20 time?

21 A. I would say it was probably split

22 between Broad and High and the intersection a

23 couple blocks east of.

24 Q. And a couple blocks east of was -- one

1 A. At one point we were holding the line

2 south, and then at one point we were holding the

3 line east.

4 Q. Holding the line south, you were on

5 Broad Street, on east Broad Street holding a line

6 south facing south on what street? Was that

7 Cleveland?

8 A. Just east of. So when we started out

9 at Broad and High, the crowd continued to be

10 pushed east. So once they would get to an

11 intersection, we would go east to that

12 intersection, hold that intersection, that way we

13 would remain more ground -- or retain more ground.

14 Q. All right.

15 A. They would continue to go and we would

16 continue to follow them.

17 Q. All right. So during this time on the

18 30th, the crowd is continue -- the bulk of the

19 crowd, maybe not every person, but the bulk of the

20 crowd is continuously being moved east of Broad

21 and High, right?

22 A. The crowd that we were dealing with,

23 yes.

24 Q. All right. And was your crowd a

1 block east of is State and High?

2 A. It's further than that.

3 Q. Right. So would be another block or

4 two?

5 A. Yeah. How far is Cleveland Avenue?

6 Have you got a map pulled up, is that what you're

7 looking at right now?

8 Q. Yeah, I was. It's four, five blocks it

9 looks like?

10 A. About four or five blocks, so, yeah,

11 maybe just before Cleveland Avenue.

12 Q. It's hard to tell from this. It's not

13 a very good map. It's at least four blocks, does

14 that sound right?

15 A. Well, I'm not sure. I was asking what

16 the map showed, but I would say we were maybe just

17 short of that intersection.

18 Q. And what were you doing there?

19 A. Same thing, holding a line, you know.

20 Q. Okay. Where were the protestors when

21 you were holding that line?

22 A. East of -- east and south of.

23 Q. You mean they were -- you were holding

24 a line facing east?

1 particularly violent one, throwing a lot of

2 objects and so on?

3 A. They were definitely throwing stuff.

4 Q. Okay.

5 A. Also like hopping on cars and breaking

6 car windows.

7 Q. All right. And this was happening

8 during daylight hours?

9 A. Yeah. Yeah.

10 Q. And in the end and into the evening

11 hours?

12 A. I don't know when it ended. By the

13 time I went home, stuff was still going on. They

14 had caught like a building down -- they caught a

15 building on fire downtown and then stopped the

16 fire. Trucks were trying to get down there.

17 There was a lot going on by the time I left.

18 Q. Okay. How many times were you hit with

19 an object during the -- your shift on the 30th?

20 A. I have no idea. Like I said, the crowd

21 was a little further out that day, so probably not

22 as many, but definitely hit with items that day.

23 Q. Okay. To your knowledge, any of the

24 individuals who hit you with a rock or brick or

1 frozen water bottle charged or arrested?
2 A. I have no idea.
3 Q. Do you know if the city has used any of
4 the video to try to identify any of those
5 individuals?
6 A. I've been off work since that Saturday,
7 so I have no idea.
8 Q. Okay. Did you deploy your chemical --
9 your belt mace or your Mark 9 canister on the
10 30th?
11 A. I did not.
12 Q. Okay. If the crowd is throwing
13 objects, how are they being controlled?
14 A. The grenadiers and SWAT.
15 Q. So grenadiers and SWAT were doing their
16 best to try to control the crowd using whatever
17 methods they used, right?
18 A. Yeah. Yep. And I mean, there were
19 like horses down there, there were other agencies
20 down there to help push the crowd, but I would say
21 the bulk amount of our assistance came from SWAT
22 or grenadiers.
23 Q. Your own grenadiers, Columbus
24 grenadiers, right?

1 A. Grenadiers in general. I'm not sure I
2 know ours were down there. I'm not sure if other
3 ones were or not.
4 Q. Did you see them deploy tear gas?
5 A. Once again, I'm not a grenadier, I
6 don't know what's being deployed, what's in those
7 cans.
8 Q. You saw them deploying various
9 munitions but weren't sure what it was, right?
10 A. Correct.
11 Q. Could have been knee knockers, right?
12 Or could have been tear gas or both?
13 MS. TANOURY: Objection. Asked and
14 answered, but he can respond.
15 A. Could have been anything.
16 Q. Okay. Did it have an effect on the
17 crowd?
18 A. Effect on the crowd?
19 Q. Yes.
20 A. Sometimes they would disperse, you hear
21 like a loud bang and they kind of jump for a
22 minute and separate, then they gather back. Like
23 I said, some of the munitions were thrown back at
24 us. But, yeah, I mean, I would say it had

1 somewhat of an effect eventually.
2 Q. But by the time you went off shift,
3 whenever that was, was it dark when you went off
4 shift?
5 A. It was.
6 Q. All right. So if we're talking May,
7 probably doesn't get dark until 8:30, 9:00 at
8 night, does that sound right?
9 A. Sure.
10 Q. I don't know.
11 A. Yeah, I don't either. I would say
12 yeah, maybe around 8:00 it starts to get dark,
13 7:00 or 8:00.
14 Q. Well, I think it's a lot later than
15 that. Because the solstice is June 21st, so
16 that's only 20, 22 days later after these
17 protests, that's the longest day of the year, it
18 stays light in Columbus until around 10:00 at
19 night.
20 A. I have no idea. I don't know how any
21 of that works.
22 Q. All right. Fair enough. Let's just
23 say this: Whenever you got off shift, it was
24 dark, right?

1 A. Correct.
2 MR. MARSHALL: All right. I'm going to
3 take a break. I don't have that much more,
4 Officer Johnson. Probably a few more questions.
5 So it is 2:35, let's take a 10-minute break, and I
6 will be back and we'll finish up.
7 (A recess is taken.)
8 MR. MARSHALL: Good news is I'm
9 finished. Officer Johnson, thank you for your
10 time today.
11 THE WITNESS: Thank you.
12 MR. MARSHALL: We will take the
13 transcript, Mary.
14 MS. TANOURY: Yes, Officer Johnson, I
15 would recommend that you take the time to review
16 the transcript and then sign.
17 THE WITNESS: Perfect.
18 MS. TANOURY: You'll have the
19 opportunity to do that.
20 THE WITNESS: Okay. Perfect.
21 (Signature not waived.)
22 -----
23 Thereupon, the foregoing proceedings
24 concluded at 2:43 p.m.

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Correction or Change Reason Code

4-Clarification 5-Other (Please explain)

Date _____ Signature _____

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